Public (Political) (1949) Departu

Ms. SERIES.

G.O. No 2821

Dated 22nd August 1949.

[Despatch Abstract.]

States - Rulers of Merged States - Personal rights and privileges - Adjustment of differences by personal contact - Instructions of Government of India - Received, Recorded.

GOVERNMENT OF MADRAS

(Abstract)

STATES - Rulers of merged States - Personal rights and privileges - Adjustment of differences by personal contact- Instructions of Government of India - Recorded.

Public (Political) Department

G.O.Ms.No.2821, Dated the 22nd August 194
Read the following:--

Memorandum No.4764/48-2 Public (Political), dated 13th December 1948
From the Government of India, Ministry of States, D.O.No.F. 118-P/49, dated 16/21st July 1949.

O R D E R:

Copy of Government Memorandum No.4764/48-2 Public (Political, dated 13-12-1948).

Sub: States - Merger - Ruler - Privileges.

A copy of the "Memorandum on the Personal privileges of the Rulers of the States that have either merged in Provinces or have combined to form Union of States" together with a copy of each of the letter from the Government of Bombay to the Government of India and the letter from the Government of India No.F. 137-P/48, dated 3-11-1948 is communicated to the Collectors of Kurnool and Tiruchirapalli and the Board of Revenue for information.

2. A copy of each of the above together with extract of notes of this Department is also sent to all Departments of the Secretariat (including public) for information and necessary action on items with which they are concerned.

K. Ramunni Menon,
Chief Secretary to Government.

Copy of letter No.3062/46-F, dated 4th September 1948 from the Chief Secretary to the Government of Bombay, Political and Services Department, to the Secretary to the Government of India, Ministry of States, New Delhi.

PERSONAL PRIVILEGES OF RULERS - Guaranteeing of

I am directed to invite your attention to article 5 of the Agreement of Merger by which the Dominion Government have guaranteed to the succession according to law and custom, to the gadi of the State and to the Raja's personal rights, privileges, dignities and titles. When the Rulers of the acceeding States were in power, there ~~were~~ probably no occasion for making a distinction between personal rights, privileges and dignities as against public rights and privileges. Since the merger some of the Rulers have been approaching this Governmer with a request that privileges and dignities like -- (1) a salu te of guns, (ii) presentation of arms by the police or military (iii) participation of the public servants and the police in processional marches with the Ruler at the head on festive occasions of the Ruler's family or caste, (iv) orders of precedence in official functions held by Government (v) official reception of the Ruler by the Police by lining up along the streets on the entry of the Ruler into the town; (vi) decoratic to the Palace and the buildings of the Ruler on festive occasions at the cost of the State, ought to be continued under the guarantee offered by the Government of India.

In this connection; it may be stated that many of these privileges and dignities were marks of Royalty and after the

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cessasion of all jurisdiction and po er by the Rulers, it would be inconsistent with the Sovereignty o the Dominion Govt. to permit and instruct our officials and servants to participate in such ~~xxx~~ processions or offer their salutes as above. Each of the privileges and dignities which cannot be enjoyed except by the Sovereign Ruler will have to be stopped and it seems that all that is guaranteed is that if the Ruler arranged any of these functions; marches or salute of guns at his own expense, no objection need be raised by the executive officers of Government.

Similarly as regards the rights of the Rulers, (i) exemption from arrest and personal appearance in courts (ii) restrictions regarding the institution of suits as contained in section 8 and 86 of the Code of Civil Procedure, (iii) exemption from certain taxes and fees, (iv) Representation at State functions, (v) possession of arms and personal guards, ~~xxx~~ and the like may be cited as instances of theier personal rights. There is nothing in the observance and continuance of any of them that can be said to be derogatory to the dignity of the Dominion Government and there should be no objection to continue the same till the law remained/at present.

The Rulers desire that their birth days and their sectional holidays ought to be declared as public holidays. Consistently with the declared policy of the Government of India, it would be impossible to grant such requests and after the territorial merger, it would be an anomaly of the highest degree to declare within the present State areas, which will be distributed over one and more districts in certain cases, that such days should be observed as public holidays.

As these matters are assuming importance owing to constant reference from some of the rulers, I am to request that the position may be clarified as to what privileges rights and dignities ought to be guaranteed specifically or generally or should be regarded as having lapsed with the cessasion of power.

Copy of letter from the Government of India, Ministry of States No.F.137-P/48, dated 3-11-48 to the Chief Secretary to the Government of Bombay, Bombay

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PERSONAL RIGHTS AND PRIVILEGES of the Rulers of States that have merged with Provinces.

I am directed to refer to your letter No.3062/46-P. dated the 4th September, 1948 on the above subject and to say that National festivals, such as Dusserah, etc. should continue to be celebrated in a fitting manner and that reasonable facilities should be extended to the Rulers if they want to organise processions, etc. in their capital, in connection with such festivals. There should ordinarily be no objection to the participation of public servants in such processions. Similarly, there appears to be no objection to the presentation of arms by the police or army to a Ruler within his ~~xxx~~ e. State. The question of firing of Salutation is still under consideration. Precedence at official receptions organised by the Government should be determined by the Provincial Government. The request for an official reception to the Ruler and the decoration of the Palace on festive occasions cannot however be agreed to.

2. With regard to the other points enumerated in your letter under reference, I am to invite your attention to the "Memorandum on the personal privileges of the Rulers of States that have ~~with~~ either merged in Provinces or have combined to form Unions of States" drawn up by this Ministry, a copy of which has been forwarded to you separately.

Yours faithfully
Sd/ ** **
Secretary to the Government of India.

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p.t.o.

Public (Poll.) Deptt.

Sub: States - Merger - Rulers - Privileges.

With their D.O. on p.1 c.f. the Government of India have forwarded for the information and guidance of this Government a Memorandum on the personal privileges of the Rulers of the States that have merged in the Provinces or have combined to form Unions of States. This Government are concerned at present with the States of Pudukkottai and Banganapalle. Copies of the Memorandum have gone to the Rulers of these States also. The various privileges referred to in the Memorandum are noted on below.

ITEMS 1 and 9 - CIVIL LIST RESERVE FUND: The Collectors of Tiruchirapalli and Kurnool had reported in another connection that no separate civil list reserve fund was being maintained in the States of Pudukottai and Banganapalle. This does not therefor apply to the two states.

Item 2- Residence of the Rulers: Orders have already been issued with the concurrence of the Government of India alloting the private buildings owned by the Raja of Pudukkottai to him. Similar proposal is being examined in the case of Banganapalle als Further action with regard to the State buildings not allotted to the Rulers will have to be taken by the Provincial P.W.D.

Item 3 - Vehicles, etc. used for State functions: It is no known what are the items of vehicles, etc. used for state functio Orders have been issued in this department regarding the disposal of the surplus cars in the two states and about the disposal of th elephants in Pudukottai. The Raja of pudukkottai has been allowed with the concurrence of the Government of India the retention of t palace jewels as his private property. It does not seem necessary to call for a report about these items which required for State functions. The Rulers to whom a copy of the Memorandum has been sent will if necessary, raise that question.

Item 4 - Civil List Budget for 1947-48: With reference to the terms of the merger agreement the Rulers of the two States have been allowed to draw their privy purse amount from the date of the merger of their respective states. The Government of India now state they can be allowed to draw their civil list allowances according to their old budget till 31-3-48 subject to the condition that the allotment in the budget does not exceed that ~~fixed~~ fixed by the Political department and that from 1-4-48 they may be paid their privy purse amounts. Submitted that both the Raja and the Nawab of Banganapalle have drawn their privy purse allowance from the date of merger and have not objected so far. It does not seem necessary to revise the previous orders. The question of revising the previous order may be examined if it is raised by the Rulers of these States. For orders.

A.R.N.

Item 5 - Medical Attendance: This is for Education and Public Health Department.

Item 6 - Prerogatives of Mercy and Grant of Titles: No remar are called for.

Item 7 - Palace Guards: The Government of India have been already informed by this department that this Government have no objection to the palace guards being appointed and controlled by the Rulers themselves. Necessary further action with reference to this item will have to be taken in Home Department.

Item 8 - Escort for the Rulers while travelling Abroad: No action is called for.

No action.

A.R.N.

Item 10 - Flying of flags and grant of holidays: These are for Public (Elections) and Public (General-B).

Item 11 - Exemption from Arms Act.
Item 13 - Exemption from Motor Vehicles Act
Item 19 - Use of Red Number Plates in Cars

Home Department are concerned with these items.

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Item 12 - Exemption from Income-tax: This relates to Finance Department.

Item 14 - Exemption from Local Taxation: This relates to the different departments of the Secretariat.

Item 15 - Privy purse: No remarks are called for.

Item ~~14~~ 16 - Continuance of grants of villages for services rendered and for performing Religious ceremonies: Revenue and Rural Development are concerned with this item.

Item 17 - ~~Exixting~~ Jaghir and personal properties of Rulers and Relatives to be free from tax etc. This relates to Revenue Department That department have a file about the 'Serai' land of the Nawab of Banganapalle.

Item 18 - Existing Right of precedent: This presumably relates to the Warrant of precedence.

Item 20 - Marriage expenses Orders have already been issued with the concurrence of the Government of India sanctioning from the State revenues allowances for the marriages of the Raja of Pudukottai, his unmarried brothers and sister. Similar question is being examined in the case of the Nawab of Banganapalle.

Item 21 - Right of the Ruler to import free of customs goods for his personal use: The Raja of Pudukottai is entitled to a salute of all guns while the Nawab of Banganapalle is entitled to a salute of 9 guns only. This privilege is not applicable to either of them.

Item 22 - Exemption from customs or any other duties on personal luggage belonging to the Ruler while returning from place within India or abroad: Development will no doubt send relevant extracts to the customs authorities for their information and guidance.

Item 23 - Immunity from the Process of Courts of Law: This is for Home Department.

Item 24 - Accumulated Balances: Finance are concerned with this. Orders have been issued in Finance that separate accounts should be kept for the expenditure and receipts of the merged States.

Item 25 - Customary Religious cereronies: This is for the Circle Development. The question of the continuance of grants for certain Hindu and Muslim religious festivals has been referred to the Government of India for their orders and their reply is awaited.

Item 26 : Treatment of States employees: No remarks

Item 27: Absorption of States' employees: The question of the absorption of the States' employees is being examined separately in this department.

Item 28: Previous commitments of the Rulers: No remarks. Each case will be dealt with on its merits by the administrative departments of the Secretariat concerned when it is referred to them for orders.

A copy of the D.O. from the Government of India in the c.f. together with a copy of the Memorandum may be communicated to all the departments of the Secretariat for such action as they may consider necessary. After issue the file may be circulated to Hon'ble Premier for perusal of the memorandum.

Only one copy of the memorandum has been received and it is required for reference in this department. Copies should be supplied to the Collectors concerned and to the Special Officers and also to Departments of the Secretariat. We may perhaps ask for a few copies more, say 20 copies.

A.R.N. 8-11-48 ...illegible... 9-11-48

p.t.o.

Copy of D.O. letter from the Government of India, Ministry of States, No.F. 118-P/49, dated 16/21st July 1949, addressed to the Hon'ble Premier, Madras.

Rights and Privileges of Rulers.

The question of rights and privileges of Rulers was discussed at a conference held in the States Ministry on April 6th and 7th, 1949 with the Rajpramukhs and certain other Rulers. As a result of these discussions, the Memorandim on rights and privileges has been revised and a copy thereof will be sent to you shortly. During the course of the discussions, some of the Rulers suggested the desirability of settling outstanding matters by personal discussion. I am accordingly to request that, if you see no objection, you may kindly meet the Rulers of States occasionally with a view to settling by personal discussion, questions arising in respect of the rights and privileges of the Rulers.

2. I am also to request that, so far as practicable the advise of the various technical experts employed by the Provincial Governments may be made available to the Rulers free of any charge.

Yours sincerely,
Sd/ M.K. Vellodi.

O R D E R:

R e cor d e d.

(By Order of His Excellency the Governor)

K. Ramunni Menon,
Chief Secretary to Government.

To the Board of Revenue, Madras
To the Collectors of Kurnool, Tiruchirapalli and Bellary
To the Departments of the Secretariat for issuing instructions to Technical Experts under their control.

(True copy)

Superintendent,
Madras Record Office.

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